

CDF's Role in Timber Harvesting

The **California Department of Forestry and Fire Protection (CDF)** enforces the laws that regulate logging on privately-owned lands in California. These laws are found in the Forest Practice Act which was enacted in 1973 to ensure that logging was done in a manner that would also preserve our fish, wildlife, forests, streams and other water sources forever. Additional rules enacted by the State Board of Forestry and Fire Protection are also enforced to protect these resources.

CDF ensures that private landowners abide by these laws when harvesting trees. Although there are specific exemptions in some cases, compliance with the Forest Practice Act and Board rules apply to all commercial harvesting operations for landowners of small parcels, to ranchers owning hundreds of acres, and large timber companies with thousands of acres.

The Timber Harvesting Plan (THP) is the blueprint submitted by a landowner to CDF outlining what timber they want to harvest, how it will be harvested, and the steps that will be taken to prevent damage to the environment. THPs are prepared by Registered Professional Foresters (RPFs) who are licensed to prepare these complicated, detailed plans. THPs can range from about 100 pages to more than 500 pages.

CDF does not have the authority to deny a THP that is in compliance with state and federal rules and laws, simply because the logging plan is unpopular with the public. The Department reviews and approves approximately 1,000 THPs each year. A THP that does not comply with all forestry and environmental regulations is returned to the RPF. It is only approved after the RPF and landowner agree to make the changes necessary to ensure compliance with all laws. CDF follows-up on approved THPs with site inspections and can shutdown operations, cite or fine Registered Professional Foresters, Licensed Timber Operators (LTOs), and landowners if illegal operations are found.

The Timber Harvesting Plan Review Process

When a THP is submitted to a CDF administrative unit the following process takes place:

Within 10 days a THP:

- Is assigned a number.
- Copies are distributed to all state and federal reviewing agencies.
- A *Notice of Intent* is sent to landowners within 300 feet of the THP, the office of the county clerk within the THP county, and the local CDF unit headquarters.
- A *Notice of Submission* is sent to anyone who has requested in writing, notification when a THP is submitted to CDF.
- A first review of the THP is done by a multi-agency team that includes CDF, the California Department of Fish and Game, the California Regional Water Quality Control Board, the California Division of Mines and Geology, and other agencies as needed. This first review is meant to assess whether the THP conforms to the State Board of Forestry and Fire Protection rules. Any incomplete applications are returned to the Registered Professional Forester (RPF) who prepared the THP. The RPF must answer any questions raised by the review team about completeness of the THP, and revise the THP before the it is processed any further.



- Once all review team concerns are clarified and the THP is deemed complete, it is officially “filed”. A Notice of Filing is sent to the person who submitted the THP, the office of the County Clerk, and to anyone who has requested in writing, notification of filed THPs.

The public may submit to CDF written comments concerning a filed THP. These written submissions will be accepted by the Department up until the designated final date for public comment. CDF responds in writing to each written public comment received.

Within 10 days of the Notice of Filing:

- The review team conducts a Pre-Harvest Inspection (PHI) to examine the proposed logging site.

Within 20 days of the Pre-Harvest Inspection:

- A second meeting is held by the review team to discuss the Pre-Harvest Inspection reports and to finalize any recommendations or changes needed for the THP.

30 days after the Pre-harvest Inspection:

- The public comment period ends. Frequently, however, the public comment period is extended for such reasons as allowing time for all agencies involved in the THP process to complete their reviews, and the need for additional study on a specific THP issue.

Following the Review Team’s final recommendation:

- The final recommendations are sent to the Registered Professional Forester for response. After the RPF’s response is received, and the public comment period closes, the THP goes to the CDF Director, or her representative, who has 15 days to approve or deny the THP. The Director considers all Board of Forestry and Fire Protection rules, the review team’s recommendations, and any public comment that was submitted concerning the proposed timber operation before making a decision to approve or deny the THP. CDF prepares and mails a written response to each person or group who submits public comment on a THP.

Once a THP is approved:

- CDF periodically inspects the logging operation to ensure compliance with the approved THP and all laws and regulations.
- Any violations are promptly acted upon. Enforcement actions range from violation notices requiring corrective actions, assessment of civil penalties and fines, and even criminal proceedings through the court system. Action may also be taken against the license of the timber operator - only Licensed Timber Operators may conduct timber operations in California - and the RPF on the operation.
- When a THP operation has been completed, the timber owner has the responsibility for submitting a completion report to CDF. CDF then inspects the area to certify that all rules were followed.
- The landowner must restock (replant) the area according to the Forest Practice Rules requirements. A stocking report must be filed with CDF to certify that these requirements were met. If the landowner fails to restock the land, CDF may hire a contractor to do the work and bill the landowner.

